

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARIA STANG,

Plaintiff,

v.

DELTA AIRLINES, INC.,

Defendant.

Case No. 18-13112

Honorable Laurie J. Michelson

Magistrate Judge David R. Grand

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**ORDER REGARDING ORDER TO SHOW CAUSE**

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The complaint in this case was filed on October 4, 2018. With nothing having been filed in the case since that date, on January 25, 2018, this Court ordered Plaintiff Maria Stang to show cause as to why her case should not be dismissed for failure to prosecute. (ECF No. 5.)

Stang has responded. She states as follows:

As accurately stated in the Order [to Show Cause], the summons was issued in this case for Defendant on October 4, 2018. Pursuant to Federal Rules of Civil Procedure 4(m), “If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” . . . Plaintiff obtained a waiver of service from attorney Sharon Rae Gross and filed the waiver of service on February 1, 2019 (ECF No. 4) which was in compliance with Federal Rule 4(m).

(ECF No. 5, PageID.22–23.)

The Court will not require Stang to show further cause. Although Rule 4(m) was amended in 2015 to change the 120-day period to a 90-day period, Defendant Delta Airlines has waived service and that waiver has been docketed. (ECF No. 5.)

SO ORDERED.

s/Laurie J. Michelson  
LAURIE J. MICHELSON

UNITED STATES DISTRICT JUDGE

Date: February 8, 2019

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon counsel of record and/or pro se parties on this date, February 8, 2019, using the Electronic Court Filing system and/or first-class U.S. mail.

s/William Barkholz  
Case Manager